

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing

CHECK BOX, if applicable

☐ DUPLICATE

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

Address to:  Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. of Prior Application	DIVA/133
	First Named Inventor	Michael C. Bertram
	Examiner Name	Nguyen, Brian D.
	Group / Art Unit	2661
	TRANSMISSION.	VIA FACSIMILE

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),

(continued prosecution application (CPA)) of prior application number 09/126,884

filed on 7/31/98, entitled METHOD AND APPARATUS FOR FORMING AND UTILIZING A SLOTTED MPEG TRANSPORT STREAM

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

PTO/SB/29 (10-00)

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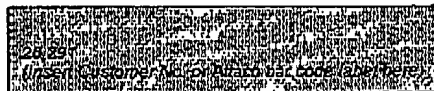
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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (l))		21-20 =	1	x \$18	18.00
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))		3 - 3 =	0	x \$64	00.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				x \$280	00.00
				BASIC FEE (37 CFR 1.18)	740.00
				Total of above Calculations =	758.00
				Reduction by 50% for filing by small entity (Note 37 CFR 1.27)	379.00
				* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.	TOTAL = 379.00

6. ☒ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No 50-1316:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(l) enclosed).
11. ☐ New Attorney Docket Number, if desired  
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☒ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other:

NOTE: If you are changing your correspondence address, please provide the new address below. If you are not changing your address, please check the box below.

## 12. NEW CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Labelor ☐ New correspondence address below

Name	MOSER, PATTERSON & SHERIDAN, LLP				
Address	595 Shrewsbury Avenue, Suite 100				
City	Shrewsbury	State	NJ	Zip Code	07702
Country	USA	Telephone	732-530-9404	Fax	732-530-9808

## 13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Eamon J. Wall
Signature	
Registration No. (Attorney/Agent)	39,414
Date	2/5/02

02/21/2002 MGORDON 00000001 501316 09126884

[Page 2 of 2]

01 FC:231 370.00 CH  
02 FC:203 36.00 CH

PTO/SB/29 (10-00)

Approved for use through 10/31/2002. OMB 0861-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Attorney Docket No.  
of Prior Application

DIVA/133

First Named Inventor

Michael C. Bertram

Examiner Name

Nguyen, Brian D.

Group / Art Unit

2661

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(Page 1 of 2)

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PTO/SB/29A (08-00)

Approved for use through 10/31/2002. OMB 0851-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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If this RECEIPT is included with a request for a CPA filed by facsimile transmission, it will be date stamped and mailed to the ADDRESS in item 1.

## 1. ADDRESS

Applicant's Mailing Address for this receipt must be CLEARLY PRINTED or TYPED in the box below.

MOSER, PATTERSON & SHERIDAN, LLP  
595 Shrewsbury Avenue, Suite 100  
Shrewsbury, New Jersey 07702

RECEIPT  
FOR  
FACSIMILE TRANSMITTED  
CPA

(To accompany a request for a  
Continued Prosecution Application  
(CPA) under 37 CFR 1.53(d) filed by  
facsimile transmission)

**NOTE:** By this receipt, the USPTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the USPTO

and (b) Verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.

## 2. APPLICATION IDENTIFICATION:

(Provide at least enough information to identify the application)

## a. For prior application

Application No: 09/126,884  
Filing Date: 7/31/98  
Title: METHOD AND APPARATUS FOR FORMING AND UTILIZING, etc.  
Attorney Docket No: DIVA/133  
First Named Inventor: BERTRAM

## b. For Instant CPA application

New Attorney Docket No: DIVA 133  
(if applicable)

The USPTO date stamp, which appears in the box to the right, is an acknowledgement by the USPTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.

(THIS AREA FOR PTO DATE STAMP USE)

USPTO HANDLING INSTRUCTIONS

Please stamp area to the right with the date the complete transmission of the request for a CPA was received in the USPTO and also include the USPTO organization name that provided the date stamp (stamp may include both items). Verify that the application number provided by applicant on this receipt is the same as the application number provided by applicant on the request for a CPA accompanying this receipt. If there is an inconsistency between the application number provided on this receipt and the request for a CPA, strike through the inconsistent application number provided on this receipt and insert the correct application number, if possible. Then place in a window envelope and mail.

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## TELEFAX COVER SHEET

## MOSER, PATTERSON &amp; SHERIDAN, LLP

ATTORNEYS AT LAW  
595 SHREWSBURY AVENUE  
FIRST FLOOR  
SHREWSBURY, NJ 07702  
TELEPHONE (732) 530-9404  
TELEFAX (732) 530-9808

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TO: Assistant Commissioner of Patents  
FAX NO.: 703-872-9315  
FROM: Eamon J. Wall  
DATE: 2/5/02  
MATTER: Serial No. 09/126,884 Filed: 7/31/98  
DOCKET NO.: DIVA/133  
APPLICANT: Bertram

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

<input type="checkbox"/> Petition	<input type="checkbox"/> Transmittal Letter (2 copies)
<input type="checkbox"/> Disclosure Statement & PTO-1449	<input type="checkbox"/> Fee Transmittal (2 copies)
<input type="checkbox"/> Priority Document	<input checked="" type="checkbox"/> Deposit Account Transaction
<input type="checkbox"/> Drawings (___ sheets) informal	<input checked="" type="checkbox"/> Facsimile Transmission Certificate
<input type="checkbox"/> Amendment	dated _____
<input checked="" type="checkbox"/> CPA REQUEST TRANSMITTAL	<input checked="" type="checkbox"/> Preliminary Amendment
<input checked="" type="checkbox"/> RECEIPT FOR FACSIMILE TRANSMITTED	
CPA	

## CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.6

I hereby certify that this correspondence is being transmitted by facsimile to the Assistant  
Commissioner for Patents, Washington, DC 20231 on 2/5/02  
Facsimile No. 703-872-9315

LAURA E. CRATER  
Name of person signing this certificate

Laura E. Crater 2/5/02  
Signature and date